

UNITED STATES DISTRICT COURT

for the

Middle District of Georgia

United States of America

v.

Charles Allen Franklin

Date of Original Judgment: April 22, 2021

Date of Previous Amended Judgment: _____

(Use Date of Last Amended Judgment if Any)

Case No: 5:20-CR-00022-001USM No: 01730-120Jared Scott Westbrook

Defendant's Attorney

**ORDER REGARDING MOTION FOR SENTENCE REDUCTION
PURSUANT TO AMENDMENT 821**

Upon motion of ☐ the defendant ☐ the Director of the Bureau of Prisons ☒ the court under Amendment 821 for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission, and having considered such motion, and taking into account the policy statement set forth at USSG §1B1.10 and the sentencing factors set forth in 18 U.S.C. § 3553(a), to the extent that they are applicable,

IT IS ORDERED that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 105 months is reduced to 93 months.

Charles Allen Franklin was originally sentenced on April 8, 2021, to a term of 105 months imprisonment to be served consecutively to his case in Bibb County Superior Court Case Number 10CR66081 for probation violation. His imprisonment is to be followed by three years of supervised release.

Based on Amendment 821, Part A of the *United States Sentencing Guidelines*, the defendant is eligible for a reduction in his criminal history category from IV to III under the newly created provision found at USSG § 4A1.1(e) for the assignment of "status points" for offenders who committed the instant offense while under a criminal justice sentence. Such a reduction would result in a total offense level 27 with a criminal history category III, which yields an advisory guideline range of 87 to 108 months.

Originally, the Court sentenced the defendant within the guideline range, but at the bottom of the range. The Government agrees that a sentence near the bottom of the newly calculated range would be an appropriate sentence. The Court has determined a sentence of 93 months is reasonable when considering the 18 U.S.C. 3553(a) factors and is also proportional to the original sentence.

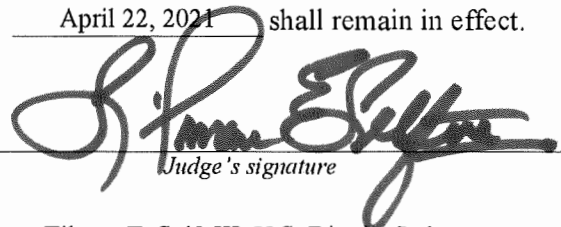
Except as otherwise provided, all provisions of the judgment dated April 22, 2021 shall remain in effect.

IT IS SO ORDERED.

Order Date: 3/26/24

Effective Date: _____

(if different from order date)



Judge's signature

Tilman E. Self, III, U.S. District Judge

Printed name and title